

Appl. No. 10/726,392  
Amdt. dated July 5, 2005  
Amendment under 37 CFR 1.116 Expedited Procedure  
Examining Group 2815

PATENT

**REMARKS/ARGUMENTS**

Claims 1-7, 14-21, and 29-30 are pending in the application and are presented for reconsideration and allowance.

**Discussion of Rejections Under 35 USC §112**

Claim 30 was rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Applicant amends claim 30 to delete the particular phrase identified by the Examiner as unclear. The Applicant respectfully requests withdrawal of the rejection under 35 USC §112, second paragraph.

Applicant also amends claim 30 to include, substantially, the subject matter of original claims 3 and 4. The Examiner indicates that the subject matter of claim 4 was allowable if rewritten to include the subject matter of the base claim and any intervening claims. Although claim 4 originally depended from claim 1, Applicant respectfully believes that claim 30 is allowable for at least the same reasons that it includes the features of claim 4, which the Examiner indicated as allowable subject matter.

**Discussion of Rejections Under 35 USC §103(a)**

Claims 1-3, 5-7, 14-16, 18-21, and 29-30 were rejected as unpatentable under 35 USC §103(a). Applicant amends the claims to overcome the rejections and requests reconsideration and allowance.

Applicant amends claims 1 and 14 to include substantially all of the features of claims 4 and 17, respectively, along with features of the intervening claims. The Examiner previously indicated that the subject matter of claims 4 and 17 was allowable if amended to include the features of the base claim and intervening claims. Although claims 1 and 14 were not amended to include verbatim language from claims 4 and 17, respectively, claims 1 and 14 are believed to be allowable at least for the reasons that original claims 4 and 17 are allowable. Applicant respectfully requests entry of the amendment because the amendment introduces no

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matter that was not previously searched by the Examiner and puts the claims in condition for allowance.

Applicant also amends claims 2-4 and 15-16 to make the claim language consistent with the claim language from amended claims 1 and 14. Claims 2-4, 6-7, 15-18, and 20-21 depend, either directly or indirectly from one of claims 1 or 14 and are believed to be allowable at least for the reasons that they depend from an allowable base claim.

Claims 5 and 19 were rejected under 35 USC §103(a) as allegedly unpatentable over U.S. Patent No. 6,559,548 to Matsunaga, et al. (hereinafter Matsunaga) in view of U.S. Patent No. 5,010,389 to Gansauge et al (hereinafter Gansauge) in further view of Japanese Publication No. JP 2001-177115A to Noda (hereinafter Noda).

Applicant amends claims 5 and 19 to independent form and incorporates the features of original claim 1 and claim 14, respectively. Applicant respectfully requests entry of the amendment because the amendments incorporate the features of original claim 1 or claim 14 expressly into claims 5 or 19, respectively. Claims 5 and have been amended to independent form and the change in the form of the claim does not warrant any additional search by the Examiner. Further, the amendments are believed to put the claims in condition for allowance.

Claims 5 and 19 include the feature of "a fourth insulation film which is provided on said third insulation film and is made of polybenzoxazole resin." Additionally, the claims include the feature of "a metal layer which is grown on a seed layer which is provided on said fourth insulation film, and forms a wiring layer with said seed layer."

Examiner concedes that Matsunaga in combination with Gansauge fail to teach or suggest the fourth insulation film is polybenzoxazole resin." The Examiner alleges that the missing element is taught in Noda.

However, Noda describes an organic insulating film 13 of polyimide or polybenzoxazole coating a surface protective film 12. Noda does not describe or suggest "a metal layer which is grown on a seed layer which is provided on" polybenzoxazole film. Noda does not teach or suggest anything that would motivate one to dispose a polybenzoxazole organic insulation film between a wiring layer and a third insulation film.

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Therefore, Applicant believes that claims 5 and 19 are allowable because the combination of references fail to teach or suggest, whether alone or in combination, all of the claimed features. Applicant respectfully requests reconsideration and allowance.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 858-350-6100.

Respectfully submitted,



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